

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

CLAUDE GENE LEE, SR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 1:06-CV-874-MHT
	)	
WESTPOINT HOME, INC.,	)	
	)	
Defendant.	)	

**NOTICE OF DEPOSITION**

To: Mr. Frank Majors  
c/o Kelly F. Pate, Esq.  
Balch & Bingham LLP  
Post Office Box 78  
Montgomery, Alabama 36101-0078

Please take notice that on August 29, 2007 at 2:00 p.m., or as otherwise agreed by the parties, Plaintiff Claude Gene Lee, Sr. will take the deposition upon oral examination of Frank Majors, pursuant to Fed. R. Civ. P. 30. Said examination shall be taken at the offices of Balch & Bingham and will continue from day to day until completed. Said examination shall be before a notary public or some other person authorized by law to administer oaths, and is being taken for the purpose of discovery, for use at trial, and for all other purposes as are permitted under the Federal Rules of Civil Procedure.

Respectfully submitted this 24<sup>th</sup> day of August, 2007.

/s/Jay E. Tidwell  
Jay E. Tidwell (TID009)

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on the 27<sup>th</sup> day of August 2007, I have served a copy of the above and foregoing on counsel for all parties by:

- \_\_\_\_\_ Facsimile transmission;
- \_\_\_\_\_ Hand Delivery (will be attempted at trial);
- \_\_\_\_\_ Placing a copy of same in the United States Mail, properly addressed and first class postage prepaid to:
- X   Using the CM/ECF system which will send notifications of such to the following:

David R. Boyd, Esq.  
Kelly F. Pate, Esq.  
Balch & Bingham LLP  
Post Office box 78  
Montgomery, Alabama 36101-0078

/s/ Jay E. Tidwell  
Of Counsel